IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 470 OF 2006.
IN
CRIMINAL APPLICATION NO. 217 OF 2006.

Mahavir Hirachand Kasture ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. Prasad Kulkarni with Mr. V.V.Purwant for the applicant.

Smt. M.H. Mhatre, A.P.P. for the State.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 7TH OCTOBER, 2006.

P.C.

. Heard learned Advocate appearing for the applicant, perused the application and the order passed by this Court imposing a condition on the applicant not to enter the place of trial except for attending the Court case.

2. The condition is imposed as it was pointed out before the learned Single Judge that the applicant is a permanent resident of Kalyan. While it may be true, that the applicant has gone around and visited the jails

giving lecturers and sermons as set out in the application but equally, he is an accused in a criminal case. This Court has imposed the condition bearing in mind that the criminal case involves offences punishable with death or imprisonment for life and after adverting to the prima facie role of the applicant in the crime.

3. Presently, I do not see any reason as to why the conditions should be relaxed. The applicant is permitted to pass through Mohol city for reaching Solapur where the trial is pending. When the trial is scheduled the applicant can certainly make such enquiries as are necessary for preservation and protection of his right, title and interest in the properties at Mohol. The condition does not in any manner affect his right therein.

4. Application is dismissed.

(S.C.DHARMADHIKARI, J.)